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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/623,416	07/18/2003	Rangachary Mukundan	S-100,634	5001

35068 7590 09/25/2006

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EXAMINER
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OLSEN, KAJ K

ART UNIT	PAPER NUMBER
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1753

DATE MAILED: 09/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/623,416

Applicant(s)

MUKUNDAN ET AL.

Examiner

Kaj K. Olsen

Art Unit

1753

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 7-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8-11 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 7 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The examiner acknowledges the IDS of 7-18-2003. However, the IDS did not come with any PTO-1449 for the examiner to initial and sign.

### ***Specification***

2. The disclosure is objected to because of the following informalities: Applicant's amendment to the specification on 7-18-2003 should be modified to reflect that application 10/175,252 is now USP 6,605,202 and application 09/777,359 is now abandoned.

Appropriate correction is required.

### ***Claim Objections***

3. Claim 7 is objected to because of the following informalities: In the limitation beginning "extending the first portion", there is a redundant "electrodes" that should be removed. Appropriate correction is required.

### ***Allowable Subject Matter***

4. Claims 8-11 are allowed.
5. Claim 7 would be allowed if the applicant removed the redundant "electrodes".

Art Unit: 1753

6. The examiner repeatedly attempted to contact the applicant to authorize an amendment to correct the above objections to the specification and claim, but the sole phone number given to the office by the applicant was never answered.

7. The following is a statement of reasons for the indication of allowable subject matter:

The prior art does not disclose nor render obvious all the cumulative limitations of claim 7 with particular attention to placing wire electrodes in a die, filling the die with oxide-electrolyte powder and removing excess oxide-electrolyte powder to expose the first compressed planar portions of the electrodes. Spacil (USP 3,576,730) and Niwa et al (USP 4,220,517) both teach placing electrode leads through the solid electrolyte material itself. However, neither of these references discloses removing excess oxide-electrolyte to expose the first compressed planar portions of the electrodes. Nor would it have been obvious because both of these references have one of the electrodes as an internal electrode and these internal electrodes are not supposed to be exposed to the gas to be sensed. References such as Kirkpatrick et al (USP 3,835,210) and Kennedy teach the use of dies for the construction of electrical components, but neither of these teachings disclose nor render obvious placing wire electrodes in the die followed by filling the die with oxide-electrolyte powder.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kaj Olsen whose telephone number is (571) 272-1344. The examiner can normally be reached on Monday through Friday from 8:00 A.M. to 4:30 P.M..

Art Unit: 1753

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nam Nguyen, can be reached on 571-272-1342. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AU 1753  
September 18, 2006



**KAJ K. OLSEN**  
**PRIMARY EXAMINER**